

PROCEEDINGS OF THE BROWN COUNTY EXECUTIVE COMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, June 8, 2009 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

Present: Bernie Erickson, Pat Evans, Tom Lund, Andy Nicholson, Mary Scray, Guy Zima
Excused: John VanderLeest
Also Present: Tom Hinz, Jayme Sellen, Sara Perrizo
Lynn VandenLangenberg, Bob Heimann
Fred Mohr, Don VanderKelen, Debbie Klarkowski
Supervisor Julie Knier, Other Interested Parties, Media

I. Call Meeting to Order:

The meeting was called to order by Chair Mary Scray at 6:00 p.m. Speaking on behalf of this committee, the County Board, and Brown County employees, Chair Scray expressed condolences to the Kathy Johnson family regarding the tragic death of her son, Ken.

(Supervisor Nicholson arrived 6:02 p.m.)

II. Approve/Modify Agenda:

Motion made by Supervisor Erickson and seconded by Supervisor Lund to approve the agenda. MOTION APPROVED UNANIMOUSLY

III. Approve/Modify Minutes of May 11, 2009 & Special Executive May 20, 2009:

Motion made by Supervisor Lund and seconded by Erickson to approve the minutes. MOTION APPROVED UNANIMOUSLY

Comments from the Public/Such Other Matters as Authorized by Law:

Note was made that this item, Comments from the Public, should stand alone as Such Other Matters is at the end of the agenda.

Communications:

1. **Communication from Supervisor Knier re: Implement a policy that would require every ordinance or policy amendments proposals to identify current law and the proposed changes in the same document similar to procedure/amendments made to state law. (Held from May meeting):**

Supervisor Knier explained her request to implement a policy which would clarify changes that are made to ordinances and policy amendments, including highlighting new language and that which has been deleted.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to approve Supervisor Knier's suggestion to implement a policy that would require every ordinance or policy amendment proposal to identify current law and the proposed changes in the same document.

MOTION APPROVED UNANIMOUSLY

2. **Communication from Supervisor Erickson re: Bid formats should include more personal information regarding taxes and loans and if any of these payments are in arrears or defaults. Bidder should be checked out by our Board Attorney before moving the award forward to any boards or committees. (Referred from May County Board):**

Supervisor Erickson distributed a communication (attached) which clarifies his request that bid formats include more information than in the past, asking that before a bid is awarded, the Board Attorney review details of the vendor. Such details would include taxes and loans, and any arrearages or defaults. This issue has come about because of complications with awarding a bid for transfer hauling.

(Supervisor Zima arrived 6:10 p.m.)

Various comments were made by the committee with Lynn VandenLangenberg of Administration explaining the present process for completing background checks on vendors. She stated that although the vendor referred for waste hauling did provide tax returns, they were later found to be false.

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to refer to staff (Internal Auditor, Purchasing, Board Attorney, & Administration) to develop parameters for the bidding process.

MOTION APPROVED UNANIMOUSLY

3. **Communication from Supervisors Zima and Scray re: Respectfully request that the Executive Committee and County Board consider reclassification of the internal Auditor to a position of Internal Auditor/Board Research Analyst:**

Supervisor Zima explained that at this time the County Board lacks personnel to conduct research for members. He and Chair Scray have discussed this issue and are suggesting that a job description be developed and added to the duties of the Internal Auditor.

Although agreeing to this suggestion, Supervisor Knier asked that both sides of an argument be reported, stating that she was disappointed with the recent report on roundabouts which appeared to be one-sided. She requested there be a balanced approach to analysis.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to refer to Human Resources to develop a job description and analysis for reclassification of the Internal Auditor to a position of Internal Auditor/Board Research Analyst. MOTION APPROVED UNANIMOUSLY

Legal Bills:

4. Review and Possible Action on Legal Bills to be paid:

Supervisor Zima reported that he recently met with Attorney Jim Kalny of the Davis & Kuelthau Law Firm to discuss outstanding bills to Brown County in the amount of \$5,658.50. After their discussion, an agreement was made to reduce the total owed to \$2,780. Zima recommended approval of this payment.

Motion made by Supervisor Lund and seconded by Supervisor Erickson to approve payment of \$2,780, of the total \$5,658.50, to the Davis & Kuelthau Law Firm.

Ayes: Erickson, Evans, Lund, Scray, Zima

Nays: Nicholson

MOTION APPROVED 5-1

Discussion of other invoices including those of Fred Mohr and Michael Best were recommended for payment.

Motion made by Supervisor Zima and seconded by Supervisor Lund to pay the remainder of the legal bills. MOTION APPROVED UNANIMOUSLY

5. Discussion and Possible Action re: Syble Hopp Legal Bills:

Chair Scray explained that Syble Hopp is responsible for their own bills as part of their budget. A recommendation was made by Supervisor Zima that invoices involving Syble Hopp be paid with a quarterly report to this committee.

Motion made by Supervisor Zima and seconded by Supervisor Nicholson to authorize staff to pay Syble Hopp legal bills, with a request for a quarterly report. MOTION APPROVED UNANIMOUSLY

Reports:

6. County Executive Report:

a. Budget Status Financial Report for April 30, 2009:

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to receive and place on file.

MOTION APPROVED UNANIMOUSLY

b. Voluntary Unpaid Leave Program:

County Executive Tom Hinz explained that in preparation of the 2010 budget, he has drafted a resolution (attached) which would be effective July 1, 2009. Because of a projected revenue shortfall and higher operational expenses, he is suggesting that the County implement a policy for voluntary unpaid leave up to 5 days, as long as there is no impact on overtime. A separate pay code would be implemented for tracking purposes. He stated that other counties, specifically Waukesha, are implementing such a plan.

Labor Negotiator Don VanderKelen explained there is a difference between small companies who may implement such a plan and County government, stating that if employees have time to take off, there may be

a management issue. He pointed out that Brown County already has overtime problems.

Supervisor Zima stated he would support the suggestion, that every dollar saved counts, as long as services are not interrupted. Evans asked that if implemented, a monthly report be provided.

Supervisor Lund asked if this idea has been discussed with legal counsel and Hinz stated he has discussed it with Corporation Counsel. Board Attorney Fred Mohr clarified that if leave is voluntary there are no unemployment compensation issues.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to refer to staff to finalize the resolution and schedule a special meeting prior to the next County Board meeting (June 22nd, 2009) to discuss further. MOTION APPROVED UNANIMOUSLY

7. **Internal Auditor Report:**

a. **Budget Status Financial Report for April 30, 2009:**

Sara Perrizo reported that the budget is in line, with a change in printing of the weekly agenda showing a savings.

Motion made by Supervisor Nicholson and seconded by Supervisor Erickson to receive and place on file.

MOTION APPROVED UNANIMOUSLY

b. **NEW Zoo Audit:**

Internal Auditor, Sara Perrizo, stated it is not often that audit of a department results in very few recommendations. The NEW Zoo has taken great strides in getting internal controls in check, and Perrizo stated she would use them as an example to other departments.

Motion made by Supervisor Lund and seconded by Supervisor Erickson to accept the NEW Zoo Audit.

MOTION APPROVED UNANIMOUSLY

c. **Other: None**

8. **Board Attorney Report:**

a. **Pivonka Update:**

Board Attorney, Fred Mohr, reported that at this time there has been no resolution to this issue. He recommended that efforts toward resolution be continued and that any further update be held until the next meeting or until a special meeting is scheduled.

Motion made by Supervisor Nicholson and seconded by Supervisor Erickson to hold until the July meeting, or until a special meeting is scheduled.

Ayes: Erickson, Lund, Nicholson, Scray, Zima

Nays: Evans

MOTION APPROVED 5-1

b. **Table vs. Postpone:**

Attorney Mohr reported that at the last Board meeting a question arose as to whether or not items could be tabled. Although Robert's Rules does not recognize tabling as a proper motion, Supervisor Zima pointed out that Brown County Ordinance has a provision allowing this. Research determined this is correct.

Motion made by Supervisor Evans and seconded by Supervisor Nicholson to receive and place on file.

MOTION APPROVED UNANIMOUSLY

Resolutions/Ordinances:

9. **Resolution re: Change in Table of Organization Human Services. (Referred from Human Services Committee):**

Motion made by Supervisor Evans and seconded by Supervisor Nicholson to approve. MOTION APPROVED UNANIMOUSLY

10. **Authority to Execute a 2009 Labor Agreement with the Brown County Library Clerk Employees Local 1901, AFSCME, AFL-CIO:**

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to approve. MOTION APPROVED UNANIMOUSLY

11. **Authority to Execute a 2009 Labor Agreement with the Brown County Medical Examiner Investigators Local 1901, AFSCME, AFL-CIO:**

Motion made by Supervisor Nicholson and seconded by Supervisor Lund to approve. MOTION APPROVED UNANIMOUSLY

12. **Closed Session: For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin Open Meetings Law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to Sec. 19.85 (1)(g) of the Wisconsin State Statutes: None**

13. **Such Other Matters as Authorized by Law: None**
July County Board meeting changed to Wednesday, July 22, 2009

Special Executive Committee Agenda: Date & Time to be Announced
Voluntary Unpaid Leave Program
Diane Pivonka Update

Motion made by Supervisor Lund and seconded by Evans to adjourn at 7:10 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,
Rae G. Knippel, Recording Secretary

Communication To Admin & Ex Com

It has come to my attention that in some cases our bid awards have to be looked at a little closer.

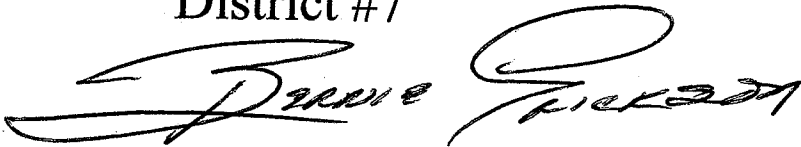
With bids over \$ (dollar amount to be decided) our bid format should include more personal information regarding taxes and loans and if any of these payments are in arrears or default.

Also, upon opening and choosing a bidder, that individual or company should be checked out by our board attorney before moving the award forward to any boards or committees.

Respectfully submitted by:

Bernie Erickson

District #7

A handwritten signature in cursive script, appearing to read "Bernie Erickson", written in black ink.

June 17, 2009

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

DRAFT

Ladies and Gentlemen:

RESOLUTION TO SUPPORT BROWN COUNTY
VOLUNTARY UNPAID LEAVE PROGRAM FOR 2009

WHEREAS, economic conditions have changed since the development of the 2009 County budget; and

WHEREAS, the economic recession has resulted in a projected revenue shortfall for the year, and some departments needing to address unanticipated higher operational expenses due to increasing workloads; and

WHEREAS, it is the intent of the County to manage the 2009 budget in a way that is the least disruptive impact on service delivery and for our employees; and

WHEREAS, current County policy allows for an unpaid leave of absence for up to one year upon approval of the Department Head and the Human Resources Manager; and

WHEREAS, some employees will be willing to assist in mitigating the projected revenue shortfall by taking voluntary unpaid leave.

NOW, THEREFORE BE IT RESOLVED that the Brown County Board of Supervisors supports the Voluntary Unpaid Leave Program of up to five (5) days per employee for regular full-time employees, and a pro rata amount of time based on percent of time worked for regular part-time employees for the period beginning July 1, 2009 and ending December 31, 2009.

Respectfully submitted,

EXECUTIVE COMMITTEE

66

Approved By: _____

COUNTY EXECUTIVE

Date Signed: _____

Final Draft Approved by Corporation Counsel

Fiscal Impact: _____

DRAFT

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
WARPINSKI	1			
DE WANE	2			
NICHOLSON	3			
THEISEN	4			
KRUEGER	5			
HAFFS	6			
ERICKSON	7			
BRUNETTE	8			
ZIMA	9			
EVANS	10			
VANDER LEESE	11			
JOHNSON	12			
DANTINNE, JR	13			

SUPERVISOR	DIST. #	AYES	NAYS	ABSTAIN
LA VIOLETTE	14			
ANDREWS	15			
KASTER	16			
KNIER	17			
WILLIAMS	18			
FLECK	19			
CLANCY	20			
WETZEL	21			
LANGAN	22			
SCRAY	23			
HOEFT	24			
LUND	25			
FEWELL	26			

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____